

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
ALEXANDER MUÑOZ, :
:
Plaintiff, : 22-CV-10209 (JMF)
-v- :
:
II IN LOT PARKING CORP., et al., :
:
Defendants. :
:
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JESSE M. FURMAN, United States District Judge:

On February 6, 2023, the Court ordered Plaintiff to file a motion for default judgment within two weeks. ECF No. 19. Although Plaintiff obtained a Clerk's Certificate of Default, *see* ECF Nos. 21, 23, he did not file a motion for default judgment. On February 20, 2023, Defendants filed an Answer to the Complaint. In light of the presumption in favor of litigation on the merits and Plaintiff's failure to file a motion for default judgment by the deadline, Defendants are granted a *nunc pro tunc* extension of time to answer and their answer is deemed timely. Accordingly, the initial pretrial conference scheduled for **March 16, 2023, at 9 a.m.**, will proceed as scheduled. *See* ECF No. 10. The parties are reminded to contact the chambers of Magistrate Judge Wang to schedule a settlement conference.

SO ORDERED.

Dated: February 21, 2023
New York, New York



JESSE M. FURMAN
United States District Judge